

TOWN BOARD

The Town Board, Town of Highlands, held a public hearing, meeting and budget workshop on Monday, September 9, 2013 at Town Hall, 254 Main Street, Highland Falls, NY at 7:00pm.

PRESENT:	Mervin R. Livsey	----	Supervisor
	William Edsall	----	Council Member
	James Stradley	----	Council Member
	June Gunza	----	Council Member
	Justin Rider	----	Counsel
	Kelly Blauvelt	----	Comptroller
	June Patterson	----	Town Clerk
ABSENT:	Holly Gokey	----	Council Member

Supervisor Livsey asked that if anyone watching at home has a problem with the sound to please call him on his cell phone.

PUBLIC HEARING –Town Hall Repair Reserve Fund Expenditure (\$20,000)

Supervisor Livsey opened the public hearing at 7:00pm.

PUBLIC COMMENT

None

Council Member Edsall made a motion seconded by Council Member Stradley to close the public hearing. Public hearing closed at 7:03pm.

MOTION CARRIED: 4-ayes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

REGULAR MEETING

Supervisor Livsey welcomed Trustee DiSalvo and Kathy Hammill from the Hudson Highlands Land Trust to the meeting.

PUBLIC COMMENT

None

MINUTES

Council Member Edsall made a motion seconded by Council Member Gunza to accept the minutes from the August 26, 2013 meeting.

MOTION CARRIED: 4-ayes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

COMMUNICATIONS

Supervisor Livsey received a letter from County Legislature Hines informing the Town that Cornwall Hospital has made a request to the Department of Health to reduce the hours of their Emergency Room.

Council Member Edsall asked Merv Livsey, a member of the Town of Highlands Ambulance Corps, what percentage of ambulance calls go to Cornwall Hospital.

Mr. Livsey said that approximately one-half of the calls go to Cornwall Hospital.

Supervisor Livsey said he put a notice on Channel 23 that says Town is selling a 2008 Chevy Trailblazer for \$4,000. The Supervisor said that if no one calls, he will lower the price.

Supervisor Livsey received a letter from the Orange County Volunteer Fireman's Association requesting the use of the Dial-A-Bus to transport parade judges for their parade in September. The Supervisor said Orange County was okay with this and the drivers' are volunteer firefighters so no salary will be requested.

Supervisor Livsey received a letter from Patrick Pappacio stating that the DOT is allowing the closure of Route 218 on Sundays from 10am – 2pm beginning September 18 through November 24.

Supervisor Livsey said he received another letter against the closing of Mine Road. The Supervisor said he is going to look into who has access.

Council Member Stradley said there is a concern because it is an emergency route.

Supervisor Livsey said he also heard that a gate was going to be put at the bottom of the road that leads to Round Pond. The Supervisor said he will look into that also.

Supervisor Livsey stated that he received a proposal from MHE for next year and it included a 2% raise in their hourly charge. The Supervisor sent Mr. Hauser an email asking him to reconsider his proposal, but he has not heard back.

FINANCIAL

Resolution – Town Hall Repair Reserve Fund Expenditure:

Council Member Edsall made a motion seconded by Council Member Stradley to adopt the resolution to authorize the expenditure from the Town Hall Repair Reserve Fund for the Town Hall engineering assessment and retaining wall.

RESOLUTION ADOPTED: 4-ayes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

******RESOLUTION ATTACHED******

Resolution – Mine Dock Park Grant:

Supervisor Livsey read the resolution.

Jean Wort explained a little about what the grant would be used for and informed the Board that this is a matching reimbursement grant.

Mr. Rider said there is an error on the budget page of the grant. Mr. Rider said the amount in Parkland Fees should not be zero.

Ms. Wort said the grant also needs a SEQR and that the Town had previously declared themselves Lead Agency.

Mr. Rider told Ms. Wort that she has the most up-to-date information.

Council Member Edsall made a motion seconded by Council Member Stradley to adopt the resolution to approve and endorse the application for a grant under the 2013 Greenway Conservancy Small Grant Program for Scenic Hudson Mine Dock Park.

RESOLUTION ADOPTED: 4-ayes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

******RESOLUTION ADOPTED******

Window Painting Proposals:

Supervisor Livsey received two (2) proposals to repair and paint the Town Hall windows. The Supervisor will provide the Board with the information to review for the next meeting.

Budget Transfer – Ambulance:

Supervisor Livsey said Capt. Stroppel has asked for money to be transferred from the Community Service Program to the Ambulance fuel.

Council Member Gunza made a motion seconded by Council Member Stradley to approve the transfer of \$69.49 from the Community Service Program to Ambulance Fuel.

MOTION CARRIED: **4-ayes (Livsey, Edsall, Stradley, Gunza)**
 0-nays
 1-absent (Gokey)

BOARD REPORTS

Council Member Gunza:

Council Member Gunza read the Ambulance report and stated that they have been very busy.

Council Member Gunza said that Mr. Pappacio thanked a Town of Highlands Police Officer for all his help with the Hike & Bike on Sunday.

Chief Quinn:

Chief Quinn said he commends his fellow officers with the way a situation was handled while he was on vacation.

Chief Quinn reported that Detective Russell is now a certified firearms instructor and will be able to train the Town police.

Chief Quinn said the gentleman that the Town sponsored for Phase II of the Academy is ready for duty.

Chief Quinn asked everyone to drive safely now that school is open.

Chief Quinn said the Court Officers have been working for about 2 months and they are doing a good job.

Chief Quinn reported that the Dog Control Officers are going a good job and bringing in revenue for the Town.

Council Member Edsall:

Council Member Edsall addressed the parking at Mine Dock Park.

Supervisor Livsey asked Mr. Rider how the Town could legally enforce no parking.

Mr. Rider said the Town has a parking code and a Local Law should be done for a no parking zone.

Supervisor Livsey asked if that was something the Town could do on private property.

Mr. Rider said he would check the agreement, but he believes that it can be done.

Council Member Edsall thanked Jean Wort and Ms. Blauvelt for their work on the grants and Mr. Pappacio for his work at the Park.

Council Member Edsall said Cornwall is suffering for support for the Hike & Bike and if anyone knows of anyone that would like to help have them call Cornwall.

Council Member Stradley:

Council Member Stradley had nothing to report.

SUPERVISOR'S REPORT

Supervisor Livsey stated that residents will need to re-apply for the STAR Program and he advised people to call the Assessor's Office for information. The Supervisor said it is important to make sure your neighbors', especially the elderly, have applied so they can get the benefits.

UNFINISHED BUSINESS

Village/Town Water Agreement:

Supervisor Livsey reminded the Board that they authorized him to sign the Water Agreement Amendment as long as the changes were similar. The Supervisor reported the changes were not similar and he did not sign the agreement. Supervisor Livsey reviewed the list of changes that were made, which include less gallons, a dam study, a new main meter and possibly putting in a chlorinator. The Supervisor would like to meet with the Settlement Master to work on this.

Council Member Edsall said the Village is licensed to chlorinate.

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Council Member Gunza said before the Town commits to a dam study, it needs to be confirmed that the Settlement is paying for it.

Council Member Edsall said chlorinating makes sense and he is worried about the work at Bog Meadow.

Mr. Rider said it is prudent to read and understand the Town's obligations.

Supervisor Livsey said he printed out the Engineer's Report on the status of the work and he provided the Board with copies.

Supervisor Livsey said he has a meeting with the Settlement Master on Thursday and there will be a special meeting and budget workshop on Monday, September 16. The Supervisor asked the Town Clerk to post the information.

Trustee DiSalvo said that it was important for the Village to know what money can be spent where.

Supervisor Livsey said he would meet with the Mayor possibly Friday.

Trustee DiSalvo said the meeting should probably be before Thursday's meeting with the Settlement Master.

GENERAL BUSINESS

Zoning Amendment Public Hearing:

Supervisor Livsey has a resolution to schedule a public hearing for Local Law #4 of 2013 amending the Zoning of the Town of Highlands.

Council Member Edsall made a motion seconded by Council Member Gunza to adopt the resolution to introduce and schedule a public hearing on October 24, 2013 at 7:00pm for the enactment of a local law amending the Zoning of the Town of Highlands.

RESOLUTION ADOPTED: 4-ayes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

******RESOLUTION ADOPTED******

Signage Regulations:

Council Member Edsall said the Building Department has sent out violation notices and he wondered what the next step was.

Mr. Rider explained that he would need to know what information the Building Department has received first, then the violators could be issued a final warning and then a citation to appear in court.

Old Town Garage Property:

Council Member Edsall asked what would be the first step in selling the old Town garage property.

Mr. Rider said there are a couple of ways to do that. Mr. Rider said the Town could put it out to bid to see what is out there or they could just list the property.

The Board discussed what zoning allows on the property.

PUBLIC COMMENT

Pharoby Ripa questioned if the Board said that the Settlement Trust is willing to pay for the dam study, but they did not want to deal with the Village.

Mr. Rider said that is the relationship they have.

ANNOUNCEMENT

Supervisor Livsey announced that the Primary Election is tomorrow and urged all Republican and Conservative residents to come out and vote.

BUDGET

Insurance & Association Dues:

Ms. Blauvelt reviewed the budgets with the Board.

The Association of Towns dues is \$1,300.

The General Liability numbers are down, but in actuality the amount is 5% higher.

The Board discussed insurance.

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The Contingent account is getting \$80,000.

IT:

The IT Budget is down a little and \$500 has been removed from the equipment line.

Supervisor Livsey would like to get the information on the Village website.

Ms. Blauvelt said there needs to be a uniform process for getting new computers.

The Board discussed the best way to do that.

Legal:

Supervisor Livsey said Mr. Rider will be keeping his fee the same for next year.

Town Clerk:

ADJOURN

MOTION CARRIED: 4-ayes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

RESOLUTION

OF

SEPTEMBER 9, 2013

A RESOLUTION TO AUTHORIZE
EXPENDITURE FROM
THE TOWN HALL REPAIR RESERVE FUND
TOWN HALL ENGINEERING ASSESSMENT
AND RETAINING WALL

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Stradley**.

WHEREAS, the Town Board of the Town of Highlands pursuant to Section 6-d(2) of the General Municipal Law of New York State heretofore established a capital reserve fund for the purpose of making capital repairs to Town Hall, known as the Town Hall Repair Reserve Fund; and

WHEREAS, the Town Board desires to authorize the expenditure of up to Twenty Thousand and 00/100 Dollars (\$20,000.00) from said capital reserve fund related to an engineering assessment of Town Hall and additional costs associated with the poured concrete retaining wall in support of the building and bridge to the rear of Town Hall; and

WHEREAS, a Public Hearing was duly held on the 9th day of September, 2013 at 7:00 o'clock p.m., at Town Hall, 254 Main Street, Highland Falls, New York and all parties in attendance were permitted to speak on behalf or in opposition of the proposed reserve fund expenditure; and

WHEREAS, the expenditure from said reserve fund constitutes a legislative action pertaining to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act.

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NOW, THEREFORE, BE IT RESOLVED, an expenditure not to exceed the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00) is hereby authorized from the Town Hall Repair Reserve Fund to pay for an engineering assessment of Town Hall and to make repairs related to a poured concrete retaining wall in support of the building and bridge to the rear of Town Hall.

BE IT FURTHER RESOLVED, that the foregoing resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Holly Gokey, Councilwoman	voting	Absent
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a Meeting of the Town Board, Town of Highlands, on September 9, 2013.

June Patterson, Town Clerk

RESOLUTION
OF
SEPTEMBER 9, 2013

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Stradley**.

WHEREAS, the Town of Highlands is applying to the Hudson River Valley Greenway for a grant under the 2013 Greenway Conservancy for the Greenway Conservancy Small Grant Program for a project entitled "Scenic Hudson Mine Dock Park/Boat Launch" to be located in the Town of Highlands;

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

NOW, THEREFORE, be it resolved that the governing board of the Town of Highlands hereby does approve and endorse the application for a grant under the 2013 Greenway Conservancy Small Grant Program for Scenic Hudson Mine Dock Park.

The question of the adoption of the foregoing resolution was duly put to a vote which resulted as follows:

William Edsall, Council Member	voting Aye
James Stradley, Council Member	voting Aye
June Gunza, Council Member	voting Aye
Holly Gokey, Council Member	voting Absent
Mervin R. Livsey, Supervisor	voting Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on September 9, 2013.

June Patterson, Town Clerk

RESOLUTION
OF
SEPTEMBER 9, 2013

A RESOLUTION TO INTRODUCE AND
SCHEDULE A PUBLIC HEARING TO RECEIVE
PUBLIC COMMENTS CONCERNING THE ENACTMENT OF
A LOCAL LAW AMENDING SECTION 210-43A
OF CHAPTER 210 ENTITLED "ZONING"
OF THE CODE OF THE TOWN OF HIGHLANDS:
BOARD OF APPEALS

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Gunza**.

BE IT RESOLVED, that INTRODUCTORY LOCAL LAW NO. 4 OF 2013 entitled "A Local Law Amending Section 210-43A of Chapter 210 entitled 'Zoning' of the Code of the Town of Highlands: Board of Appeals" be and hereby is introduced before the Town Board of the Town of Highlands in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that pursuant to Municipal Home Rule Law Section 20, a public hearing shall be held to receive comments concerning the enactment of said Local Law on October 14, 2013 at 7:00 p.m. at the Town Hall located at 254 Main Street, Highland Falls, New York, and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing specifying the time when and the place where such public hearing will be held by publication and posting in accordance with the Municipal Home Rule Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Holly Gokey, Councilwoman	voting	Absent
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on September 9, 2013.

June Patterson, Town Clerk